



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

ASSISTANT GENERAL COUNSEL  
BAXTER INTERNATIONAL INC.  
LAW DEPARTMENT  
ONE BAXTER PARKWAY, DF2-2E  
DEERFIELD, IL 60015

**COPY MAILED**

**SEP 29 2005**

**OFFICE OF PETITIONS**

In re Application of	:	
Brynjelsen, et al.	:	
Application No. 09/964,273	:	
Filed: September 26, 2001	:	ON PETITION
Attorney Docket No. IFT-5776	:	

This is a decision on the petition submitted on September 12, 2005, requesting that the above-identified application be accorded a filing date of September 26, 2001, instead of the present filing date of May 10, 2002.

As previously stated in the Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted (Notice) of November 7, 2001, the above-identified application had been accorded a filing date of September 26, 2001. The record supports applicant's assertion that the United States Patent and Trademark Office erroneously changed the application filing date to May 10, 2002, the date of applicant's response to the Notice. The Office sincerely apologizes for the error.

Accordingly, the petition is granted.

The petition fee has not been charged.

**The application is being forwarded to the Office of Initial Patent Examination for correction of the filing date to September 26, 2001, and the mailing of a corrected filing receipt.**

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3228.

Edward J. Tannouse  
Petitions Attorney  
Office of Petitions/Patent  
Office of the Deputy Commissioner  
for Patent Examination Policy